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Counsel for Defendant **JACQUILINE HOEGEL**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

|                           |                                     |
|---------------------------|-------------------------------------|
| UNITED STATES OF AMERICA, | ) NO. CR 12-0111-EMC-2              |
|                           | )                                   |
| Plaintiff,                | ) <b>STIPULATION AND [PROPOSED]</b> |
|                           | ) <b>ORDER TO CONTINUE HEARING</b>  |
| vs.                       | ) <b>AND EXCLUDE SPEEDY TRIAL</b>   |
|                           | ) <b>TIME</b>                       |
| JACQUILINE HOEGEL.        | )                                   |
|                           | )                                   |
| Defendant.                | )                                   |
| _____                     | )                                   |

Counsel for the United States and counsel for Defendant Jacqueline Hoegel agree and stipulate to the following: Time up until September 19, 2012, has been excluded previously under the Speedy Trial Act. Defense counsel has been reviewing voluminous, complex discovery provided by the government. The evidence in this case includes more than 90,000 pages provided in electronic format, more than 200 boxes of seized evidence which the government has provided access to in its storage room, and more than 7 hard drives and other electronic data. For logistical and technical reasons, much of this evidence has not yet been copied and much evidence that has been copied has not been rendered in a format that lends itself to defense review absent specialized

1 software. In addition, this case involves at least 29 possible  
2 bank accounts at 14 different banks. Furthermore, the SEC  
3 conducted an investigation that led to Receivership and litigation  
4 related to these charges. That investigation and litigation  
5 generated its own voluminous documents.

6 The parties stipulate that this case has been properly  
7 designated - and should continue to be designated - as complex  
8 pursuant to 18 U.S.C. § 3161(h)(7)(A) & (B)(ii) & (B)(iv). For  
9 the foregoing reasons, counsel below stipulate that the status  
10 hearing should be continued to December 19, 2012 for further  
11 status conference.

12 SO STIPULATED:

13 Date: September 13, 2012

14 \_\_\_\_\_//s//\_\_\_\_\_  
15 BRIAN P. BERSON  
16 ATTORNEY FOR JACQUILINE HOEGEL

17 Date: September 13, 2012

18 \_\_\_\_\_//s//\_\_\_\_\_  
19 TRACIE BROWN  
20 ASSISTANT U.S. ATTORNEY

21  
22 **[PROPOSED] ORDER**

23 Based on the foregoing, the Court orders the September 19,  
24 2012 status hearing date to be VACATED and continued to December  
25 19, 2012. The Court finds that failing to exclude the time between  
26 September 19, 2012 and December 19, 2012 would unreasonably deny  
27 the defendant and government continuity of counsel and would deny  
28 both counsel the reasonable time necessary for effective  
29

1 preparation, taking into account the exercise of due diligence. 18  
2 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that, in light  
3 of the nature of the charges and the volume of discovery, the case  
4 is properly designated as complex pursuant to 18 U.S.C. §  
5 3161(h)(7)(B)(ii). For all of the above reasons stipulated by  
6 counsel the Court finds that the ends of justice served by  
7 excluding the time between September 19, 2012 and December 19, 2012  
8 from computation under the Speedy Trial Act outweigh the best  
9 interests of the public and Defendant Jacqueline Hoegel in a speedy  
10 trial. Therefore, IT IS HEREBY ORDERED that the time between  
11 September 19, 2012 and December 19, 2012 shall be excluded from  
12 computation under the Speedy Trial Act. 18 U.S.C. §  
13 3161(h)(7)(B)(ii) & (B)(iv).  
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15  
16 SO ORDERED:

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18 Date: September 17, 2012  
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